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5 Attorneys for Defendant
ANTOINETTE COWDEN

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
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12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 ANTOINETTE COWDEN,

16 Defendant.
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No. CR 09-523-WHA

~~PROPOSED~~ STIPULATED ORDER
CONTINUING SENTENCING AND SET
STATUS CONFERENCE

Current Hearing Date: April 13, 2010

Time: 2:00 P.M.
Judge: Hon. William H. Alsup

Proposed Hearing Date: May 11, 2010
Time: 2:00 P.M.

1 This matter is currently scheduled for a Sentencing Hearing before the Court on Tuesday,
2 April 13, 2010.

3 This matter was previously continued by the Court at the request of the parties in order to
4 occur after the resolution of the charges against Defendant Cowden's co-defendant, Virginia
5 Roberson, and then continued again so that information regarding Defendant Cowden's
6 psychological evaluation could be presented to the Assistant U.S. Attorney.

7 Defendant Cowden seeks an additional continuance as a result of a recent development
8 related to the drug evidence in this case. This case involves the seizure of drugs by the San
9 Francisco Police Department and the subsequent testing of those drugs, for type and quantity, by
10 the San Francisco Police crime lab. As has been widely reported in the local press, a former
11 employee of the crime lab was discovered to have been illegally removing drugs from the lab,
12 apparently for personal use. Significant questions have been raised about both the tests conducted
13 by this particular employee *and* the integrity of the crime lab processes and procedures in general.
14 The San Francisco Police Department and the District Attorney are conducting investigations, and
15 numerous cases already have been dismissed by the District Attorney's office as a result of the
16 issues raised by the former employee's conduct.

17 Defendant Cowden's counsel requires additional time to review and investigate the
18 allegations related to the crime lab. At a minimum, the quantity of the drugs at issue is relevant to
19 the pending sentencing, and other issues related to Ms. Cowden's plea, conviction, and criminal
20 history may become evident.

21 Accordingly, Defendant Cowden respectfully requests that the Sentencing Hearing for
22 Defendant Cowden be continued and that a status conference be set for May 11, 2010 at 2:00
23 p.m., or another date convenient for the Court. The United States does not object to this request
24 and stipulates to this continuance. The parties suggest that a status conference is more
25 appropriate than setting a sentencing date because it is not clear at this time when the
26 investigation of the crime lab will be completed and what further proceedings in this matter may
27 be necessary.

1 IT IS SO STIPULATED.

2 3-8-2010

/s/

3 DATED

JOSEPH P. RUSSONIELLO
United States Attorney
Northern District of California
MATTHEW L. McCARTHY
Assistant United States Attorney

6 3-8-2010

/s/

7 DATED

JOHN HEMANN
MORGAN, LEWIS & BOCKIUS LLP
Attorney for Defendant Antoinette Cowden

ORDER

For the foregoing reasons, the Sentencing Hearing for Defendant Antoinette Cowden is continued and a status conference is scheduled for May 11, 2010 at 2:00 p.m.

IT IS SO ORDERED.

April 12, 2010.

DATED

HON. WILLIAM H. ALSTON
United States District Judge

